

# **Exhibit A**

David Bernhardt

Wed Aug 22, 2018

**All day Optional - Budget Car Rental**

Wed Aug 22, 2018 - Thu Aug 23, 2018

**Video call:**

(b) (5), (b) (6)

**Where:** PHONE: 775-785-2409 / 855-283-4384 Reno-Tahoe International Air

**Calendar:** David Bernhardt

**Created by:** Gareth Rees

**All day RON: Granlibakken Tahoe, 725 Granlibakken Road, Tahoe City CA 96145**

Wed Aug 22, 2018 - Thu Aug 23, 2018

**Where:** Confirmation: SLDMWA

**Calendar:** David Bernhardt

**Created by:** Gareth Rees

**All day Travel**

Wed Aug 22, 2018 - Fri Aug 24, 2018

**Calendar:** David Bernhardt

**Created by:** Gareth Rees

**8:35am - 12:13pm**

**8:35AM United Airlines flight 1950 - Washington Dulles to Denver**

**Video call:**

(b) (5), (b) (6)

**Where:** Confirmation: D9FP3Q

**Calendar:** David Bernhardt

**Created by:** Gareth Rees

**1:20pm - 3:39pm 11:20AM United Airlines flight 2141 - Denver to Reno**

**Video call:**

(b) (5), (b) (6)

**Where:** Confirmation: D9FP3Q

**Calendar:** David Bernhardt

**Created by:** Gareth Rees

**9pm - 10pm Check-in Call**

**Video call:**

(b) (5), (b) (6)

**Where:** Call-in 1-(b) (5) Code (b) (5) (David Code (b) (5))

**Calendar:** David Bernhardt

**Created by:** Gareth Rees

**Who:** Matthew Dermody, Brenda Burman, David Bernhardt, Austin Ewell

Thu Aug 23, 2018

**All day Optional - Budget Car Rental**

Wed Aug 22, 2018 - Thu Aug 23, 2018

**Video call:**

(b) (5), (b) (6)

**Where:** PHONE: 775-785-2409 / 855-283-4384 Reno-Tahoe International Air

**Calendar:** David Bernhardt

**Created by:** Gareth Rees

David Bernhardt

**All day RON: Granlibakken Tahoe, 725 Granlibakken Road, Tahoe City CA 96145**

Wed Aug 22, 2018 - Thu Aug 23, 2018

**Where:** Confirmation: SLDMWA

**Calendar:** David Bernhardt

**Created by:** Gareth Rees

**All day Travel**

Wed Aug 22, 2018 - Fri Aug 24, 2018

**Calendar:** David Bernhardt

**Created by:** Gareth Rees

**8:30am - 9am Daily Check-In**

**Where:** 6114 Call-in 1-(b) (5) Code (b) (5) (Leader Code (b) (5))

**Calendar:** David Bernhardt

**Created by:** Gareth Rees

**Who:**

Todd Willens, David Bernhardt, Catherine Gulac, James Cason, Gary Lawkowski, James Voyles, Gareth Rees, Matthew Dermody, Katie Mills, Casey Stemler

**Going? Yes**

**1pm - 1:45pm Internal Executive Review Team Meeting**

**Video call:**

(b) (5), (b) (6)

**Where:** Room 6120 - Call-in 1-(b) (5) Code (b) (5)

**Calendar:** David Bernhardt

**Created by:** Gareth Rees

**9pm - 10pm Check-in Call**

**Video call:**

(b) (5), (b) (6)

**Where:** Call-in 1-(b) (5) Code (b) (5) (David Code (b) (5))

**Calendar:** David Bernhardt

**Created by:** Gareth Rees

**Who:** Austin Ewell, David Bernhardt, Matthew Dermody, Brenda Burman

**9:25pm - 11:32pm 6:25PM United Airlines flight 2255 - Reno to Denver**

**Video call:**

(b) (5), (b) (6)

**Where:** Confirmation: D9FP3Q

**Calendar:** David Bernhardt

**Created by:** Gareth Rees

**Fri Aug 24, 2018**

**All day Travel**

Wed Aug 22, 2018 - Fri Aug 24, 2018

**Calendar:** David Bernhardt

**Created by:** Gareth Rees

**1:45am - 4:59am**

**11:45PM United Airlines flight 1260 - Denver to Washington Dulles**

**Where:** Confirmation: D9FP3Q

**Calendar:** David Bernhardt

**Created by:** Gareth Rees

# **Exhibit B**



## Credit Card Authorization Form

22:19

I Bianca Sievers hereby authorize Granlibakken Resort and Conference Center and Lodge to charge my credit card for the following amount  
\$ 1680.00.

Type of Card

Card Number

Expiration Date

3 Digits Code

Bianca N. Sievers

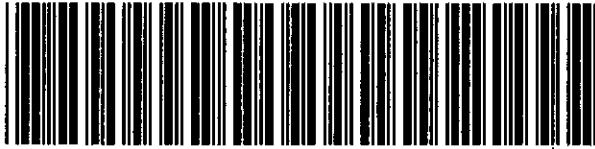
Card Holder's Name

[Signature]  
Card Holder's Signature

8/28/18  
Date

# CalATERS-Global Transmittal Page

TEA002244758

**SUBMIT RECEIPTS TO****SUMMARY INFORMATION**

SCAN RECEIPTS AND EMAIL TO:

TRAVEL\_RECEIPTS@WATER.CA.GOV

\*\*\*\*\* \*\* \*\*\*\*\*

Name JOHN W LEAHIGH

Expense Dates 08/19/18-08/24/18

Total Expenses 919.44 USD

Advance Schedule Amount 0.00 USD

Amount Due Employee 919.44 USD

Form ID TEA002244758

Report Name TEC for Tahoe Negotiations  
08/19-08/24

Approver DAVID R DUVAL

**DIRECTIONS FOR SUBMISSION**

Mail the original receipts, and other appropriate documentation with this page.

Unless your manager has directed otherwise, place this transmittal and receipts into an envelope and address exactly as shown above.

**REQUIRED RECEIPTS**

Rec. #	Date	Receipt Item	Amount	If not submitted - Explain
1)	08/19/18	Lodging	108.00 USD	
2)	08/20/18	Lodging	108.00 USD	
3)	08/21/18	Lodging	108.00 USD	
4)	08/22/18	Lodging	108.00 USD	
5)	08/23/18	Lodging	108.00 USD	

**SIGNATURE**

I have reviewed these documents.

DAVID R DUVAL

# CalATERS-Global Expense Summary

## REPORT INFORMATION

Name JOHN W LEAHIGH

Expense Dates 08/19/18-08/24/18

Form ID TEA002244758

Approver DAVID R DUVAL

Start Date/Time 08/19/18 / 1400

End Date/Time 08/24/18 / 1930

Trip Location Tahoe City, CA

Purpose of Trip

Authorization #/ Trip #

## REPORT TOTALS

Report Total 919.44 USD

Department Paid 0.00 USD

Advance Schedule Amount 0.00 USD

Amount Due Employee 919.44 USD

**\*\* Charges are in USD unless otherwise noted**

## EXPENSE DATA SUMMARY

Date	Expense Item	Amount	Payment Type	Country	Ex. Rate	Charge to	USD
08/19/18	Personal Auto Mileage	63.22	Cash	United States (US	1.00		63.22
08/19/18	Incidentals	5.00	Cash	United States (US	1.00		5.00
08/19/18	Dinner	23.00	Cash	United States (US	1.00		23.00
08/19/18	Lodging	108.00	Cash	United States (US	1.00		108.00
08/20/18	Incidentals	5.00	Cash	United States (US	1.00		5.00
08/20/18	Dinner	23.00	Cash	United States (US	1.00		23.00
08/20/18	Lunch	11.00	Cash	United States (US	1.00		11.00
08/20/18	Breakfast	7.00	Cash	United States (US	1.00		7.00
08/20/18	Lodging	108.00	Cash	United States (US	1.00		108.00
08/21/18	Incidentals	5.00	Cash	United States (US	1.00		5.00
08/21/18	Dinner	23.00	Cash	United States (US	1.00		23.00
08/21/18	Lunch	11.00	Cash	United States (US	1.00		11.00
08/21/18	Breakfast	7.00	Cash	United States (US	1.00		7.00
08/21/18	Lodging	108.00	Cash	United States (US	1.00		108.00
08/22/18	Incidentals	5.00	Cash	United States (US	1.00		5.00
08/22/18	Dinner	23.00	Cash	United States (US	1.00		23.00
08/22/18	Lunch	11.00	Cash	United States (US	1.00		11.00
08/22/18	Breakfast	7.00	Cash	United States (US	1.00		7.00
08/22/18	Lodging	108.00	Cash	United States (US	1.00		108.00
08/23/18	Incidentals	5.00	Cash	United States (US	1.00		5.00
08/23/18	Dinner	23.00	Cash	United States (US	1.00		23.00
08/23/18	Lunch	11.00	Cash	United States (US	1.00		11.00
08/23/18	Breakfast	7.00	Cash	United States (US	1.00		7.00
08/23/18	Lodging	108.00	Cash	United States (US	1.00		108.00
08/24/18	Personal Auto Mileage	63.22	Cash	United States (US	1.00		63.22
08/24/18	Dinner	23.00	Cash	United States (US	1.00		23.00
08/24/18	Lunch	11.00	Cash	United States (US	1.00		11.00
08/24/18	Breakfast	7.00	Cash	United States (US	1.00		7.00

## CalATERS-Global Expense Summary

### Expense Sub-Totals

<b>Breakfast</b>	35.00
<b>Dinner</b>	138.00
<b>Incidentals</b>	25.00
<b>Lodging</b>	540.00
<b>Lunch</b>	55.00
<b>Personal Auto Mileage</b>	126.44

### Accounting

**Charge to:** IO for FY2018  
**Amount:** 919.44  
**Percent:** 100.00

### Charge to

**Charge to:** IO for FY2018  
**Agency:** 3860  
**Fund:** 0691  
**Sub Fund:** 000  
**Organization:** 3860  
**Fiscal Year:** 2018  
**Reference #:** 902  
**Chapter:** 186  
**Prime Account:** 0000  
**Detail Accounting:** 32130000



**CalATERS-Global  
Expense and Miscellaneous Detail**

EXPENSE DETAIL SUMMARY						
Date	Expense Item	Amount	Expense is	Purpose	Category	Receipt Required
08/19/18	Personal Auto Mileage	63.22	Reimbursable			No
08/19/18	Incidentals	5.00	Reimbursable			No
08/19/18	Dinner	23.00	Reimbursable			No
08/19/18	Lodging	108.00	Reimbursable			Yes
08/20/18	Incidentals	5.00	Reimbursable			No
08/20/18	Dinner	23.00	Reimbursable			No
08/20/18	Lunch	11.00	Reimbursable			No
08/20/18	Breakfast	7.00	Reimbursable			No
08/20/18	Lodging	108.00	Reimbursable			Yes
08/21/18	Incidentals	5.00	Reimbursable			No
08/21/18	Dinner	23.00	Reimbursable			No
08/21/18	Lunch	11.00	Reimbursable			No
08/21/18	Breakfast	7.00	Reimbursable			No
08/21/18	Lodging	108.00	Reimbursable			Yes
08/22/18	Incidentals	5.00	Reimbursable			No
08/22/18	Dinner	23.00	Reimbursable			No
08/22/18	Lunch	11.00	Reimbursable			No
08/22/18	Breakfast	7.00	Reimbursable			No
08/22/18	Lodging	108.00	Reimbursable			Yes
08/23/18	Incidentals	5.00	Reimbursable			No
08/23/18	Dinner	23.00	Reimbursable			No
08/23/18	Lunch	11.00	Reimbursable			No
08/23/18	Breakfast	7.00	Reimbursable			No
08/23/18	Lodging	108.00	Reimbursable			Yes
08/24/18	Personal Auto Mileage	63.22	Reimbursable			No
08/24/18	Dinner	23.00	Reimbursable			No
08/24/18	Lunch	11.00	Reimbursable			No
08/24/18	Breakfast	7.00	Reimbursable			No

**Cars used for Business Travel**

Vehicle Type: Personal Auto Mileage

9/4/2018

John Leahigh  
 1416 Ninth Street  
 6th Floor  
 Sacramento, CA 94236



Ref: SLDMWA  
 August 19th - 24th, 2018  
  
 Single Deluxe Occupancy

### Receipt

19-Aug	Room @ \$168.00 per night	\$	168.00
	Meals @ \$65.00 per day	\$	65.00
	20% tax/service	\$	46.60
20-Aug	Room @ \$168.00 per night	\$	168.00
	Meals @ \$65.00 per day	\$	65.00
	20% tax/service	\$	46.60
21-Aug	Room @ \$168.00 per night	\$	168.00
	Meals @ \$65.00 per day	\$	65.00
	20% tax/service	\$	46.60
22-Aug	Room @ \$168.00 per night	\$	168.00
	Meals @ \$65.00 per day	\$	65.00
	20% tax/service	\$	46.60
23-Aug	Room @ \$168.00 per night	\$	168.00
	Meals @ \$65.00 per day	\$	65.00
	20% tax/service	\$	46.60
		\$	1,398.00
	Paid Visa 8/7	\$	(1,680.00)
	Refund Visa 8/24	\$	282.00
		\$	-

Granlibakken Tahoe, PO Box 6329, Tahoe City, CA 96145  
 Group Sales (800) 552-4494. FAX (530) 583-7641. Reservations (800) 543-3221  
[www.granlibakken.com](http://www.granlibakken.com)

# **Exhibit C**

XXXX

REQUEST DESCRIPTION

I am a reporter at Reveal from the Center for Investigative Reporting. Via FOIA, I seek the following documents:

>For the period of June 1, 2018 through Dec. 31, 2018, all documents, including emails, concerning or referencing meetings on California water issues involving Interior Department officials. I believe these meetings were held at Lake Tahoe, CA. in August, 2018, possibly at a hotel and convention center called GRANLIBAKKEN Tahoe in Tahoe City.

I believe the meetings included then-Deputy Interior Secretary David Bernhardt and other officials of Interior and the Bureau of Reclamation along with officials from the office of California's governor and the state Department of Water Resources. FYI, Mr. Bernhardt's calendar indicate he was present. A spokeswoman for the California Department of Water Resources, Erin Mellon, gave an interview to E&E news on 8/24/18 confirming that the meetings had occurred.

JUSTIFICATION FOR EXPEDITED PROCESSING:

I am a reporter at Reveal for the Center for Investigative Reporting. These documents are needed for an upcoming story and public radio report on Interior Department decision-making concerning water allocation and environmental issues affecting the Sacramento-San Joaquin River Delta.

WAIVER REQUEST:

I am a journalist, requesting this information for a story for my employer, Reveal from the Center for Investigative Reporting. Reveal is a news service based in Emeryville, CA. Reveal creates text stories for magazines, newspapers and online, and broadcasts a weekly radio program on 300+ public radio stations.

The documents I seek are needed for an upcoming story and public radio report on Interior Department decision-making concerning water allocation and environmental issues affecting the Sacramento-San Joaquin River Delta. Scientists say the Delta is at the point of environmental collapse because of excessive water diversions, and in that context the public has a vital interest in learning how the federal and state governments are determining policies affecting how water is allocated amongst cities, agriculture and fisheries. The documents I have requested concerning meetings between federal and state officials are likely to contain important insights concerning how water policy is being shaped.

# **Exhibit D**



United States Department of the Interior  
OFFICE OF THE SECRETARY  
Washington, DC 20240

IN REPLY REFER TO:  
7202.4-OS-2020-00229

February 18, 2020

Via email: lancewreporter@gmail.com

Lance Williams  
1400 65<sup>th</sup> St. Suite 200  
Emeryville, CA 94608

Dear Mr. Williams:

On January 16, 2020, you filed a Freedom of Information Act (FOIA) seeking the following:

For the period of June 1, 2018 through Dec. 31, 2018, all documents, including emails, concerning or referencing meetings on California water issues involving Interior Department officials. I believe these meetings were held at Lake Tahoe, CA in August 2018, possibly at a hotel and convention center called GRANLIBAKKEN Tahoe in Tahoe City. I believe the meetings included then-Deputy Interior Secretary David Bernhardt and other officials of Interior and the Bureau of Reclamation along with officials from the office of California's governor and the state Department of Water Resources. FYI, Mr. Bernhardt's calendar indicate he was present. A spokeswoman for the California Department of Water Resources, Erin Mellon, gave an interview to E&E news on 8/24/18 confirming that the meetings had occurred.

Your request was received by the Office of the Secretary FOIA office on January 17, 2020 and assigned control number **OS-2020-00229**. Please cite this number in any future communications with our office regarding your request.

**Fee Category**

We have classified you as a representative of the "news media." As such, we may charge you for some of our duplication costs, but we will not charge you for our search or review costs; you also are entitled to up to 100 pages of photocopies (or an equivalent volume) for free. *See 43 C.F.R. § 2.39*. If, after taking into consideration your fee category entitlements, our processing costs are less than \$50.00, we will not bill you because the cost of collection would be greater than the fee collected. *See 43 C.F.R. § 2.37(g)*.

You have asked for copies of agency records. According to our regulations, you may choose the format of disclosure for such records. Unless you specify otherwise, the Office of the Secretary will provide copies of responsive records electronically via email or CD-ROM as scanned PDF images when the responsive records exceed 50 pages.

**Fee Waiver**

You have requested a fee waiver for this request. As a “news media” requester, we believe that your fee category entitlements will result in a fee less than \$50. We do not bill requesters for FOIA processing fees when their fees are less than \$50.00, because the cost of collection would be greater than the fee collected. *See 43 C.F.R. § 2.37(g)*. Because of this, we believe your request for a fee waiver may be moot. Therefore, we do not anticipate that there will be a billable fee for the processing of this request. Should this change during the course of processing your request, and anticipate a fee being charged, we will provide a formal determination of your fee waiver request.

You have agreed to pay up to \$50 for the processing of your request. If we find that this will not cover the cost of processing your request, we will stop processing your request at the point this amount has been reached and will let you know before we incur additional charges. You can then either agree to pay the additional amount needed or narrow the scope of your request.

**Processing Track**

Your request falls into the “Complex” processing track. *See 43 C.F.R. § 2.15*.

**Expedited Processing**

You have asked for expedited processing of your FOIA request. The Department’s FOIA regulations state that a bureau will provide expedited processing when a requester demonstrates a compelling need for the records by explaining in detail how the request meets one or both of the criteria below and certifying the explanation is true and correct to the best of the requester’s knowledge and belief. The two criteria are as follows:

- (3) Failure to expedite the request could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or
- (4) There is an urgency to inform the public about an actual or alleged government activity and the request is made by a person primarily engaged in disseminating information. (The requested information must be the type of information that has particular value that will be lost if not disseminated quickly; this ordinarily refers to a breaking news story that concerns a matter of public exigency. Information of historical interest only or information sought for litigation or commercial activities would not qualify, nor would a news media deadline unrelated to breaking news.) *See 43 C.F.R. § 2.20*.

Your request does not contain enough evidence to support either of these criteria because you haven’t demonstrated an imminent threat to an individual nor provided enough reasoning why this is an urgent public matter. Your request for expedited processing therefore has been denied.

**Appeal Rights**

You may appeal this response to the Department's FOIA/Privacy Act Appeals Officer. If you choose to appeal, the FOIA/Privacy Act Appeals Officer must receive your FOIA appeal as soon as possible after this communication. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

**Your appeal must be made in writing.** You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL." You must include an explanation of why you believe this response is in error. You must also include with your appeal copies of all correspondence between you and the Department of the Interior concerning your FOIA request, including your original FOIA request and this response. Failure to include with your appeal all correspondence between you and the Department of the Interior will result in the Department's rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer's sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

*DOI FOIA/Privacy Act Appeals Office Contact Information*

Department of the Interior  
Office of the Solicitor  
1849 C Street, N.W.  
MS-6556 MIB  
Washington, DC 20240

Attn: FOIA/Privacy Act Appeals Office

Telephone: (202) 208-5339  
Fax: (202) 208-6677  
Email: FOIA.Appeals@sol.doi.gov

If you have any questions regarding the status of your request, or any of the issues discussed in this letter, you may contact Cynthia Sweeney by phone at (202) 513-0765, by fax at (202) 219-2374, by e-mail at [os\\_foia@ios.doi.gov](mailto:os_foia@ios.doi.gov) or by mail at U.S. Department of the Interior, 1849 C St, N.W., MS-7328 MIB, Washington, D.C. 20240. Contact information for the Department's FOIA Public Liaison, who you may also seek dispute resolution services from, is available at <https://www.doi.gov/foia/foiacenters>.



Mr. Lance Williams

4

Sincerely,

Leah Fairman  
Office of the Secretary  
Acting FOIA Officer

# **Exhibit E**



Rachel Brooke <rbrooke@revealnews.org>


---

## Lance Williams note

---

Fri, Mar 27, 1:52 PM

to me

 <https://mail.google.com/mail/u/0/images/cleardot.gif>

Dear Mr. Williams,

We are emailing today to inform you that you also need to file a FOIA request with the Bureau of Reclamation FOIA office, and the Office of the Solicitor FOIA office. Please look for information on how to contact these FOIA offices here: <https://www.doi.gov/foia/contacts>

We are handling the Office of the Secretary portions of your FOIA request. Please let us know if you have any questions.

Thank you,  
Emily Karp

# **Exhibit F**



Rachel Brooke <[rbrooke@revealnews.org](mailto:rbrooke@revealnews.org)>

---

## Fwd: News reporter's FOIA request/Reveal from CIR

1 message

---

----- Forwarded message -----

From: **Lance Williams** <[lancewreporter@gmail.com](mailto:lancewreporter@gmail.com)>  
Date: Wed, May 6, 2020 at 5:13 PM  
Subject: News reporter's FOIA request/Reveal from CIR  
To: <[bor\\_foia@usbr.gov](mailto:bor_foia@usbr.gov)>

Ms. Michelle Piland  
US Bureau of Reclamation FOIA Officer

Dear Ms. Piland,

I am Lance Williams, a reporter at Reveal from the Center for Investigative Reporting. Via the Freedom of Information Act, I seek the following documents:

>For the period of June 1, 2018 through Dec. 31, 2018, all documents, including emails, concerning or referencing meetings on California water issues involving Interior Department and Bureau of Reclamation officials. I believe these meetings were held at Lake Tahoe, CA. in August, 2018, possibly at a hotel and convention center called GRANLIBAKKEN Tahoe in Tahoe City.

I believe the meetings included then-Deputy Interior Secretary David Bernhardt and other officials of Interior and the Bureau of Reclamation along with officials from the office of California's governor and the state Department of Water Resources. FYI, Mr. Bernhardt's calendar indicate he was present. A spokeswoman for the California Department of Water Resources, Erin Mellon, gave an interview to E&E news on 8/24/18 confirming that the meetings had occurred.

FYI, in January I filed a FOIA request for this information with the Department of the Interior. Since then, Ms. Emily Karp in the Office of the Secretary emailed me saying I also needed to file FOIA requests with the Bureau of Reclamation FOIA office, and the Office of the Solicitor FOIA office.

JUSTIFICATION FOR EXPEDITED PROCESSING:

I am a reporter at Reveal for the Center for Investigative Reporting. These documents are needed for an upcoming story and public radio report on Interior Department decision-making concerning water allocation and environmental issues affecting the Sacramento-San Joaquin River Delta.

WAIVER REQUEST:

I am a journalist, requesting this information for a story for my employer, Reveal from the Center for Investigative Reporting. Reveal is a news service based in Emeryville, CA. Reveal creates text stories for magazines, newspapers and online, and broadcasts a weekly radio program on 300+ public radio stations.

The documents I seek are needed for an upcoming story and public radio report on Interior Department decision-making concerning water allocation and environmental issues affecting the Sacramento-San Joaquin River Delta. Scientists say the Delta is at the point of environmental collapse because of excessive water diversions, and in that context the public has a vital interest in learning how the federal and state governments are determining policies affecting how water is allocated amongst cities, agriculture and fisheries. The documents I have requested concerning meetings between federal and state officials are likely to contain important insights concerning how water policy is being shaped.

Thank you for assisting me in this FOIA request.

Lance Williams  
Senior Reporter  
Reveal from The Center for Investigative Reporting  
[1400 65th St. Suite 200](#)  
Emeryville, Ca. 94608

<https://www.revealnews.org/><<https://www.revealnews.org/>>

office: 510-809-3175  
cell: 415-298-2317

# **Exhibit G**





Rachel Brooke <[rbrooke@revealnews.org](mailto:rbrooke@revealnews.org)>

---

## LAncenote - FOIA email to DOI Solicitor

1 message

---

From: **Lance Williams** <[lancewreporter@gmail.com](mailto:lancewreporter@gmail.com)>  
Date: Wed, May 6, 2020 at 5:20 PM  
Subject: reporter's FOIA request/Reveal from CIR  
To: <[sol.foia@sol.doi.gov](mailto:sol.foia@sol.doi.gov)>

Mr. Lance Purvis, FOIA Officer  
Office of the Solicitor  
US Department of the Interior

Dear FOIA Officer,

I am Lance Williams, a reporter at Reveal from the Center for Investigative Reporting. Via FOIA, I seek the following documents:

>For the period of June 1, 2018 through Dec. 31, 2018, all documents, including emails, concerning or referencing meetings on California water issues involving Interior Department and Bureau of Reclamation officials. I believe these meetings were held at Lake Tahoe, CA. in August, 2018, possibly at a hotel and convention center called GRANLIBAKKEN Tahoe in Tahoe City.

I believe the meetings included then-Deputy Interior Secretary David Bernhardt and other officials of Interior and the Bureau of Reclamation along with officials from the office of California's governor and the state Department of Water Resources. FYI, Mr. Bernhardt's calendar indicate he was present. A spokeswoman for the California Department of Water Resources, Erin Mellon, gave an interview to E&E news on 8/24/18 confirming that the meetings had occurred.

FYI, in January I filed a FOIA request for this information with the Department of the Interior via your FOIA portal. Since then, Ms. Emily Karp in the Office of the Secretary emailed me saying I also needed to file FOIA requests with the Bureau of Reclamation FOIA office, and the Office of the Solicitor FOIA office.

### JUSTIFICATION FOR EXPEDITED PROCESSING:

I am a reporter at Reveal for the Center for Investigative Reporting. These documents are needed for an upcoming story and public radio report on Interior Department decision-making concerning water allocation and environmental issues affecting the Sacramento-San Joaquin River Delta.

### WAIVER REQUEST:

I am a journalist, requesting this information for a story for my employer, Reveal from the Center for Investigative Reporting. Reveal is a news service based in Emeryville, CA. Reveal creates text stories for magazines, newspapers and online, and broadcasts a weekly radio program on 300+ public radio stations.

The documents I seek are needed for an upcoming story and public radio report on Interior Department decision-making concerning water allocation and environmental issues affecting the Sacramento-San Joaquin River Delta. Scientists say the Delta is at the point of environmental collapse because of excessive water diversions, and in that context the public has a vital interest in learning how the federal and state governments are determining policies affecting how water is allocated amongst cities, agriculture and fisheries. The documents I have requested concerning meetings between federal and state officials are likely to contain important insights concerning how water policy is being shaped.

Thank you for your assistance.

Lance Williams  
Senior Reporter  
Reveal from The Center for Investigative Reporting  
[1400 65th St. Suite 200](#)  
Emeryville, Ca. 94608

<https://www.revealnews.org/><<https://www.revealnews.org/>>

office: 510-809-3175  
cell: 415-298-2317

# **Exhibit H**



## United States Department of the Interior

BUREAU OF RECLAMATION

2800 Cottage Way

Sacramento, CA 95825-1898

MAY 20 2020



IN REPLY REFER TO:

CGB-3700

1.1.02

Mr. Lance Williams  
2831 Prince St.  
Berkeley, CA 94705

Subject: Freedom of Information Act (FOIA) Request – BOR-2020-00169

Dear Mr. Williams:

This letter is in initial response to your FOIA request dated May 13, 2020. The request was received by the Bureau of Reclamation on May 13, 2020. The requester category is “media.” The processing track is evaluated as complex. The request has been assigned Reclamation FOIA tracking number BOR-2020-00169.

You requested “all documents, including emails, concerning or referencing meetings on California water issues involving Interior Department and Bureau of Reclamation officials. I believe these meetings were held at Lake Tahoe, CA in August of 2018, possibly at a hotel and convention center call Granlibakken Tahoe at Tahoe City.” We have begun the search for records and your request for fee waiver is granted.

You have asked for expedited processing of your FOIA request. The Department’s FOIA regulations state that a bureau will provide expedited processing when a requester demonstrates a compelling need for the records by explaining in detail how the request meets one or both of the criteria below and certifying the explanation is true and correct to the best of the requester’s knowledge and belief. The two criteria are as follows:

- (1) Failure to expedite the request could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or
- (2) There is an urgency to inform the public about an actual or alleged government activity and the request is made by a person primarily engaged in disseminating information. (The requested information must be the type of information that has particular value that will be lost if not disseminated quickly; this ordinarily refers to a breaking news story that concerns a matter of public exigency. Information of historical interest only or information sought for litigation or commercial activities would not qualify, nor would a news media deadline unrelated to breaking news.)

---

INTERIOR REGION 10 • CALIFORNIA-GREAT BASIN

CALIFORNIA\*, NEVADA\*, OREGON\*

\* PARTIAL

Subject: Freedom of Information Act Request BOR-2020-00169

2

Your request does not contain enough evidence to support either of these criteria because you have not demonstrated the breaking news value of the records that you are requesting. Records regarding the 2018 meeting do not appear to have the type of breaking news urgency that would be lost if the records are not published quickly. The records you are seeking would supplement your coverage but would not seem to inform the public about breaking Interior or Reclamation activities. The upcoming story you cite does not raise to the level of urgency required to place your request in a favored requester category in front of the other requests received ahead of yours. Though you certify that your explanation is true and correct to your knowledge and belief, the justification is insufficient, and we must deny your request for expedited processing. You have the right to appeal this decision.

Department of the Interior regulations and 43 CFR § 2.15, allow an agency to process requests using a multi-track processing system. Requests can be categorized based upon the date of receipt, the amount of work, and time involved. The agency determines whether the request is “simple,” “normal,” “complex,” or “exceptional/voluminous.” The request has been placed in our complex processing track because we will have to search one or more offices within the region that are located apart from the office processing the request. A complex request is expected to take between 21 and 60 workdays to complete. As of the date of this letter, this request is 11<sup>th</sup> in our complex track. We are currently processing requests received in August 2019. All requests are processed on a first-in, first-out basis.

The denial of expedited processing was made after consultation with Mr. Kevin Tanaka, Assistant Regional Solicitor, Office of the Solicitor, Pacific Southwest Region. The Reclamation officials responsible for this decision are Mr. Larry R. Welch, Manager, Administrative Services Division, and the undersigned. If you consider this decision to be a denial of your request pursuant to 43 CFR § 2.57(a)(8), you may submit an appeal by facsimile at 202-208-6677, by electronic mail (FOIA.Appeals@sol.doi.gov), or by mail to:

Department of the Interior  
Office of the Solicitor  
Attn: FOIA/Privacy Act Appeals Office  
1849 C Street, N.W.  
MS 6556 MIB  
Washington, DC 20240

If you choose to appeal, the FOIA/Privacy Act Appeals Officer must receive your appeal no later than 90 workdays from the date of this letter. Appeals arriving or delivered after 5 p.m. EDT, Monday through Friday, will be deemed received on the next workday. Your appeal must be in writing. All communications concerning your appeal should be clearly marked with the words “FREEDOM OF INFORMATION APPEAL.”

You must include an explanation of why you believe Reclamation’s response is in error. You must also include with your appeal copies of all correspondence between you and Reclamation concerning your FOIA request, including your original FOIA request and Reclamation’s response. Failure to include with your appeal all correspondence between you and Reclamation



Subject: Freedom of Information Act Request BOR-2020-00169

3

will result in the Department of the Interior's rejection of your appeal, unless the FOIA/Privacy Act Officer determines (in the FOIA/Privacy Act Appeals Officer's sole discretion) that good cause exists to accept the defective appeal. Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Officer needs additional information or clarification of your appeal.

Pursuant to 43 CFR § 2.19, we are making available our FOIA Public Liaison to assist in resolving any disputes between you and Reclamation. The acting FOIA Public Liaison is Ms. Cindy Cafaro. The public liaison can be reached by telephone at (888) 603-7119. For correspondence, the mailing address is Department of the Interior FOIA Office, MS-5558, MIB, 1849 C Street, NW, Washington, DC 20240.

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740-6001, E-mail at [ogis@nara.gov](mailto:ogis@nara.gov), commercial telephone at 202-741-5770, Fax: 202-741-5769, or by toll-free telephone at 877-684-6448. Please note that using OGIS services does not affect the timing of filing an appeal with the Department's FOIA & Privacy Act Appeals Officer.

If you have any questions about this response, please contact the undersigned at 916-978-5554, or e-mail [sha-MPR-FOIA@usbr.gov](mailto:sha-MPR-FOIA@usbr.gov).

Sincerely,



Christopher S. Miller  
Regional FOIA Officer